

IC 34-25

**ARTICLE 25. SPECIAL PROCEEDINGS:
ATTACHMENT AND GARNISHMENT**

IC 34-25-1

Chapter 1. General Provisions Applying to Attachment and Garnishment

IC 34-25-1-1

Execution of judgments; law governing

Sec. 1. The execution of judgments is governed by IC 34-55.
As added by P.L.1-1998, SEC.20.

IC 34-25-1-2

Nonresidents; personal earnings or wages

Sec. 2. Indiana courts do not have and shall not entertain jurisdiction in any action of attachment, garnishment, or supplementary proceeding, when:

- (1) the plaintiff and principal defendant are both nonresidents of Indiana; and
- (2) the money sought to be reached by the attachment, garnishment, or supplementary proceedings is the personal earnings or wages due or owing to the principal defendant from a person or corporation doing business in Indiana.

As added by P.L.1-1998, SEC.20.

IC 34-25-1-3

Judgment for attachment or garnishment; service and venue requirements

Sec. 3. The plaintiff is not entitled to judgment in an action for attachment or garnishment unless:

- (1) the defendant is personally served with process;
- (2) the property of the defendant is attached in the county where the action is brought; or
- (3) a garnishee is summoned in the county where the action is brought, who is indebted to the defendant, or has possession of property or assets subject to the attachment.

As added by P.L.1-1998, SEC.20.

IC 34-25-1-4

Payment of costs and expenses; proportional payment of multiple creditors; surplus

Sec. 4. The money realized from the attachment and the garnishees, under the direction of the court, and after paying all costs and expenses, shall be paid to the several creditors in proportion to the amount of their several claims as adjusted. The surplus, if any, shall be paid to the defendant.

As added by P.L.1-1998, SEC.20.